

EDUCATIONAL IMPACT STATEMENT:

The Proposed Co-location of Success Academy Charter School – New York 2 (84XTBD) with Existing Schools J.H.S. 131 Albert Einstein (08X131) and Soundview Academy for Culture and Scholarship (08X448) in Building X131 Beginning in 2014-2015

I. Summary of Proposal

The New York City Department of Education (“DOE”) is proposing to co-locate grades kindergarten through five of a new public charter school, Success Academy Charter School – New York 2 (84XTBD, “SA – New York 2”) in building X131 (“X131”), located at 885 Bolton Avenue, Bronx, NY 10473 in Community School District 8 (“District 8”) beginning in the 2014-2015 school year. If this proposal is approved, SA – New York 2 would be co-located with J.H.S. 131 Albert Einstein (08X131, “J.H.S. 131”), and with Soundview Academy for Culture and Scholarship (08X448, “Soundview Academy”), both district middle schools serving students in grades six through eight. A “co-location” means that two or more school organizations are located in the same building and may share common spaces like auditoriums, gymnasiums, and cafeterias.

SA – New York 2 will be operated by Success Academy Charter Schools (“SACS”), a charter management organization (“CMO”) that currently operates 18 public charter schools in New York City, including six new public elementary schools serving students for the first time in 2013-2014. The four SACS schools that received a Progress Report for the 2011-2012 school year all received an overall grade of A.

SA – New York 2 has submitted a preliminary application for charter authorization from the State University of New York Trustees (“SUNY”) to serve students in kindergarten through fifth grades. The proposal to open and co-locate SA – New York 2 in X131 described in this Educational Impact Statement (“EIS”) is contingent upon SUNY’s approval of SA – New York 2’s application for charter authorization. Only SUNY has the authority to approve or deny SA – New York 2’s application for charter authorization. For the purpose of this proposal, it is assumed that SUNY will approve SA – New York 2’s application.¹

If this proposal is approved, SA – New York 2 will open in the 2014-2015 school year and will serve approximately 120-180 students in kindergarten and first grade, and will add one grade each year until it reaches full scale in 2018-2019. At that time, SA – New York 2 will serve approximately 450-540 students in kindergarten through fifth grades. The school will admit students via the charter lottery application process, with preference given to District 8 residents, as described below in more detail.²

Concurrently, the DOE is planning to reduce the enrollment at J.H.S. 131 over a period of three years beginning in September 2014. Beginning in September 2014, J.H.S. 131 will admit a smaller incoming sixth-grade class of approximately 175-185 students, as opposed to the approximately 245-255 students it has served in sixth grade in recent years. The school will continue to admit approximately 175-185 sixth-grade students in future years until all grades, six through eight, serve fewer sections in 2016-2017. J.H.S.

¹ If SUNY does not approve SA – New York 2’s charter application, this proposal will be withdrawn. Should SUNY deny SA – New York 2’s application, the DOE may propose an alternate use of space in the X131 building that involves a significant change in school utilization, which would be the subject of a separate EIS in accordance with Chancellor’s Regulation A-190.

² For more information about the charter lottery application process, please consult the DOE’s directory of NYC Charter Schools, which can be accessed on the DOE’s website: <http://schools.nyc.gov/community/planning/charters/For+Parents/default.htm>.

131 currently admits students to two programs: a zoned program that is opened to zoned students; and an unscreened program that is open to all District 8 students. These admissions methods will be unchanged as a result of this proposal but the unscreened program will admit fewer students in the coming years.

Additionally, X131 houses a community-based organization (“CBO”), ASPIRA.

X131 has the capacity to serve 1,401 students, but in the 2013-2014 school year, J.H.S. 131 and Soundview Academy are only serving approximately 1,046 students. This yields a building utilization rate of approximately 75%, which demonstrates that the building is “underutilized” and has space to accommodate additional students. As such, X131 has been identified as an underutilized building.³ If this proposal is approved, when SA – New York 2 reaches full scale and after the enrollment reduction of J.H.S. 131 is complete, in 2018-2019, SA – New York 2, J.H.S. 131, and Soundview Academy will collectively serve approximately 1,260-1,410 students in the building, which yields a projected utilization rate of 90%-101%. As discussed in Section II.B and in the attached Building Utilization Plan (“BUP”), while the projected range for the building utilization rate signifies the possibility of a building utilization rate slightly in excess of 100%, all schools will receive at least their baseline (or adjusted baseline) footprint allocation of space.

Background on Decision Making

The DOE strives to ensure that all students in New York City have access to a diverse range of high-quality schools at every stage of their education. The co-location of SA – New York 2 in building X131 is intended to provide an additional high-quality elementary school option to student and families in District 8 and the Bronx. Further, as described in more detail in Section III of this EIS, while District 8 has an excess of middle school capacity, additional elementary capacity is needed, particularly in the Soundview area where X131 is located.

The DOE believes that siting SA – New York 2 in District 8 will not only provide a new option for District 8 families, but, if approved, it is anticipated that it will help address the need for additional elementary school seats in District 8.

As discussed above, the DOE is working with the J.H.S. 131 community to gradually decrease the school’s enrollment by approximately 211-241 students over the course of three years. J.H.S. 131 has struggled to provide quality outcomes for its students. J.H.S. 131 received an overall grade of “C” on its last three Progress Reports. The DOE believes that reducing the enrollment of J.H.S. 131 beginning in September 2014 and providing a new option for elementary school students in the X131 building will benefit current and future students at J.H.S. 131 and in the Bronx. The enrollment reduction is intended to provide an opportunity for J.H.S. 131 to concentrate on a smaller cohort of students, and allow for a new school option to develop in building X131. The DOE is committed to supporting J.H.S. 131 as it reduces its enrollment and focuses on improving.

II. Proposed or Potential Use of Building

According to the 2011-2012 Enrollment, Capacity, Utilization Report (the “Blue Book”), X131 has the capacity to serve 1,401 students.⁴ In 2013-2014, the building is serving approximately 1,046 students,⁵

³ The most recent Under-Utilized Space Memorandum and List was updated on November 20, 2012, and can be accessed at: http://schools.nyc.gov/NR/rdonlyres/6D8EA76A-82FA-4740-9ED1-66BCABEE8BFB/134525/UnderutilizedSpaceMemorandum112012_vFINALforprint.pdf. The most recent Under-Utilized Space Memorandum Addendum was updated on August 28, 2013, and can be accessed at: http://schools.nyc.gov/NR/rdonlyres/6D8EA76A-82FA-4740-9ED1-66BCABEE8BFB/149149/UUMemorandumAddendum_August2013vFINAL.pdf.

⁴ The 2011-2012 Enrollment, Capacity, Utilization Report (the “Blue Book”) can be found here: http://www.nycsca.org/Community/CapitalPlanManagementReportsData/Enrollment/2011-2012_Classic.pdf.

⁵ All figures are from the 2013-2014 Budget Register Projections.

yielding a building utilization rate of 75%.⁶

If this proposal is approved, SA – New York 2 will begin to serve kindergarten and first-grade students in X131 during the 2014-2015 school year. Over a six-year period, the current and projected grade spans for the schools in building X131 are as follows:

Grade Spans							
DBN	School Name	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019
84XTBD	Success Academy Charter School – New York 2	-	K-1	K-2	K-3	K-4	K-5
08X131	J.H.S. 131 Albert Einstein	6-8	6-8	6-8	6-8	6-8	6-8
08X448	Soundview Academy for Culture and Scholarship	6-8	6-8	6-8	6-8	6-8	6-8

The table below demonstrates the projected enrollment of each school and the building’s projected utilization rates over a six-year period, if this proposal is approved.

DBN	School Name	2013-2014 Enrollment	2014-2015 Projected Enrollment	2015-2016 Projected Enrollment	2016-2017 Projected Enrollment	2017-2018 Projected Enrollment	2018-2019 Projected Enrollment
84XTBD	Success Academy Charter School – New York 2	-	120 - 180	180 - 250	285 - 360	360 - 450	450 - 540
08X131	J.H.S. 131 Albert Einstein	766	670 - 700	595 - 625	525 - 555	525 - 555	525 - 555
08X448	Soundview Academy for Culture and Scholarship	280	275 - 305	285 - 315	285 - 315	285 - 315	285 - 315
Total Building Enrollment		1,046	1,065 - 1,185	1,060 - 1,190	1,095 - 1,230	1,170 - 1,320	1,260 - 1,410
Utilization		75%	76% - 85%	76% - 85%	78% - 88%	84% - 94%	90% - 101%

⁶ All references to building utilization rates in this document are based on target capacity data from the 2011-2012 Blue Book and enrollment data from the charter projections as of June 2013 or the 2013-2014 Budget Register Projections. Enrollment projections for new charter schools opening in 2014-2015 are based on enrollment in the charter application. This methodology is consistent with the manner in which the DOE conducts planning and calculates space allocations and funding for all schools. In determining the space allocation for co-located schools, the Office of Space Planning will conduct a detailed site survey and space analysis of the building to assess the amount of space available in the building.

In 2018-2019, once J.H.S. 131 has reached a stable, reduced enrollment and SA – New York 2 has reached full scale, there will be approximately 1,260-1,410 total students served in the building. The projected utilization for X131 at that point is approximately 90%-101%.

Despite the possibility of a utilization rate slightly over 100%, the DOE believes the building has sufficient space to accommodate J.H.S 131, Soundview Academy, and SA – New York 2. Although a utilization rate in excess of 100% may suggest that a building will be over-utilized or over-crowded in a given year, this rate does not account for the fact that rooms may be programed for more efficient or different uses than the standard assumptions in the utilization calculation. In addition, charter school enrollment plans are frequently based on larger class sizes than target capacity, contributing to building utilizations above 100% while not impacting the utilization of the space allocated to the traditional public school. Therefore, the DOE believes that the X131 building has the capacity to accommodate J.H.S 131, Soundview Academy, and SA – New York 2 at full scale.

As described in more detail in the Blue Book, which is available at http://www.nycsca.org/Community/CapitalPlanManagementReportsData/Enrollment/2011-2012_Classic.pdf, a building's target utilization rate is calculated by dividing the aggregated enrollment of all school organizations in the building by the aggregated "target capacities" of those organizations. Each school organization's "target capacity" is calculated based upon the scheduled use of individual rooms as reported by principals during an annual facilities survey, the DOE's goals for maximum classroom capacities (which are lower than the United Federation of Teachers ("UFT") contractual class sizes and differ depending on grade level), and the efficiency with which classrooms are programmed (i.e., the frequency with which classes are scheduled in a given classroom).

The most recent year for which target capacity has been calculated for buildings is 2011-2012. The DOE's projected utilization rates for the 2012-2013 school year and beyond are based on the 2011-2012 target capacity, which assumes that the components underlying that target capacity (scheduled use of classrooms, maximum classroom capacity, etc.) remain constant. Thus, projected utilization rates for 2012-2013 and subsequent years provide only an approximation of a building's usage because each of the factors underlying target capacity may be adjusted by principals from year to year to better accommodate students' needs. For example, changing the use of a room from an administrative room to a homeroom at the high school level will increase a building's overall target capacity because for high schools administrative rooms are not assigned a capacity. Holding enrollment constant, this change would result in a lower utilization rate. Similarly, if a room previously used as a kindergarten classroom is subsequently used as a fifth-grade classroom, the building's target capacity would increase because we expect that a fifth grade class will have more students than a kindergarten class. This is reflected in the fact that the DOE's goal for maximum classroom capacity is higher for fifth-grade classrooms than for kindergarten classrooms. In this example, as well, assuming enrollment is constant, the utilization rate would decrease.

The X131 building has the capacity to accommodate all of the existing and proposed schools during and after SA – New York 2's proposed phase-in period. Any further significant changes to school utilization will be proposed in a separate EIS in accordance with Chancellor's Regulation A-190 and will be subject to approval by the Panel for Educational Policy ("PEP").

For more detail on the Footprint and room allocations, see Section III.B below and the attached BUP. Please visit the DOE's Web site to access the Footprint, which guides space allocation and use in City schools: http://schools.nyc.gov/NR/rdonlyres/78D715EA-EC50-4AD1-82D1-1CAC544F5D30/0/DOEFOOTPRINTSConsolidatedVersion2011_FINAL.pdf.

III. Impact of the Proposal on Affected Students, Schools, and Community

A. Students

The proposed co-location of SA – New York 2 in X131 is intended to provide a new educational option for District 8 families. SA – New York 2 will open in the X131 building for the 2014-2015 school year and enroll kindergarten and first-grade students through its charter lottery, which will be held in early spring 2014 and will give preference to District 8 students. SA – New York 2 is expected to reach full scale in X131 in 2018-2019 and will serve approximately 450-540 students in grades kindergarten through five.

Concurrently, the DOE is planning to reduce enrollment at J.H.S. 131. J.H.S. 131 will admit fewer sixth-grade students after the end of the 2013-2014 school year and will continue to admit fewer sixth-grade students in future years until 2016-2017 when it will reach stable enrollment. All current J.H.S. 131 students will have the opportunity to complete their middle school education at J.H.S. 131, and J.H.S. 131 will remain an option for future students.

Impact on Students Currently Attending Schools in the X131 Building

J.H.S. 131 is a zoned middle school that offers a zoned program and an unscreened program, both in Interdisciplinary Studies. The zoned program is open to students who are zoned to J.H.S. 131. The school's unscreened program is open to all District 8 students, who are randomly selected for admissions through the middle school admissions process, as discussed in greater detail in the next section. All current students who are in the choice program will be able to complete this academic program, though in coming years, the number of students admitted to this program will be reduced.

If this co-location proposal is approved and J.H.S. 131's enrollment is reduced, there may be an impact on some of the options available to students attending J.H.S. 131. With respect to academics, J.H.S. 131 will continue to offer all necessary classes to support current students as they work to meet promotional requirements. As total enrollment at the school is reduced, J.H.S. 131 may need to scale back its elective course offerings. It is difficult to predict how those changes might be implemented as decisions will rest with school administrators and will be made based on student demand as well as staff and budget conditions at the school. However, the school will still have a sufficient number of students by the end of the enrollment reduction to continue offering a wide array of academic offerings.

Soundview Academy is an existing middle school co-located with J.H.S. 131 in X131. Soundview Academy currently enrolls middle school students through the middle school admissions process, using a limited unscreened admissions method and giving priority to students residing in the 08X174 zone. If this proposal is approved, middle school students may continue to apply to Soundview Academy through the middle school admissions process. The DOE does not anticipate that this proposed co-location of SA – New York 2 will impact admissions, enrollment, or instructional programming at Soundview Academy.

J.H.S. 131 and Soundview Academy both currently offer Integrated Co-Teaching ("ICT") classes, Self-Contained ("SC") special education classes, and Special Education Teacher Support Services ("SETSS"). The existing ICT, SC, and SETSS classes will not be affected by this proposal and students with disabilities will continue to receive mandated services in accordance with their Individualized Education Programs ("IEPs"). They also both provide English as a Second Language ("ESL") programs for English Language Learners ("ELL") students. Current students at J.H.S. 131 and Soundview Academy who receive ELL services will continue to do so.

Impact on Extracurricular Programming and Partnerships

According to the District 8 Middle School Directory, J.H.S. 131 currently offers the following special

programs and initiatives, extracurricular activities, and partnerships:⁷

- **Regents Classes:** Integrated Algebra, Living Environment, Spanish
- **Language Classes:** Spanish
- **Special Programs:** Poem in your Pocket Day Celebration, Law Day, Penny Harvest, Walk-a-thons, Broadway Plays, Field Trips, Multicultural Festivals, Arts Programs, Specialized High Schools Program, Saturday Test Preparatory Program, Adolescent Development Support Initiatives, Integrated Parental/Community Engagement Initiatives
- **Boys Sports:** Basketball
- **Girls Sports:** Basketball
- **Extracurricular activities:** Chorus, Drama, Music, Yearbook, Chess, Cheerleading
- **Program Partners:** ASPIRA, Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP), Girl Scouts of the USA, Gang Resistance, Education and Training (GREAT), Salvadori Center, YMCA
- **Higher Education Institutions:** Fordham University Graduate School of Social Services
- **Cultural Institutions:** Bronx Council on the Arts (BCA), Periwinkle National Theatre

J.H.S. 131 will continue to offer special programs and initiatives, and extracurricular programs based on student interests, available resources, and staff support for those programs. However, the co-location may change the way those programs are configured. For example, some activities may need to share classroom space or the scheduling of these activities may change as a result of greater demands on the available space during or after school hours. Additionally, the enrollment reduction planned for J.H.S. 131 may cause a number and range of extracurricular programs to diminish gradually due to declining student enrollment. It is difficult to predict precisely how those changes might be implemented as decisions will rest with the school administrators and will be made based on student interests and available resources. That is true for any City school as all schools modify extracurricular offerings annually based on student demand and available resources.

According to the District 8 Middle School Directory, Soundview Academy currently offers the following special programs and initiatives, extracurricular activities, and partnerships:

- **Enrichment Classes:** State ELA & Math Test Preparation, Elective/Modular Course
- **Special Programs:** Interdisciplinary & Inquiry Based 21st Century iZone360 Curriculum, Scholars Mentoring Program, Dual Language Program, Performance & Digital Arts Program, High School Articulation Preparation & Workshops
- **Program Partners:** Alliance for a Healthier Generation; Cooperative, Healthy, Active, Motivated Positive Students (CHAMPS), New York Road Runners, Broadway Junior, Art of Stepping (AOS)
- **Cultural Institutions:** Bronx River Arts Center, Carnegie Hall
- **Resource Partners:** iZone360, iLearn360
- **Extracurricular Activities:** CHAMPS Basketball & Track & Field Teams, NY Road Runners, Kickboxing Broadway Junior Drama, Digital Theater, Student Council, Soundview Little Rock (Guitar), Carnegie Choir, Peer Mediation, Soundview Step Team, Soundview Dance, Yearbook Club, Filmmaking Club, Photography Club

Soundview Academy will continue to offer extracurricular programming based on student interests, available resources, and staff support for those programs. The proposed co-location is not expected to impact those opportunities. As described above for J.H.S. 131, students will continue to have the opportunity to participate in a variety of extracurricular programs, but it may change the way those programs are configured.

⁷ The District 8 Middle School Directory is available on the DOE Web site at: <http://schools.nyc.gov/NR/rdonlyres/A3A59580-0B5C-43CC-8822-AA32BDEE1C6B/0/201213D8MSD.pdf>.

Impact on Future Middle School Students in District 8

This proposal is not expected to impact the admissions process at J.H.S. 131 or Soundview Academy. As discussed above, concurrent with this proposal, the DOE will work with the J.H.S. 131 community to reduce its enrollment. The DOE does not anticipate that this proposal will significantly impact enrollment at Soundview Academy. J.H.S. 131 and Soundview Academy currently admit students through the middle school application process.

J.H.S. 131 is a zoned middle school serving students residing in the 08X131 zone. J.H.S. 131 gives priority to incoming sixth graders who reside in its zone, in accordance with the Chancellor's Regulation A-101.⁸ Zoned schools are obligated to serve all students residing in their zone, space permitting, regardless of when families show up to register. J.H.S. 131 also offers an unscreened program open to all District 8 students. If this proposal is approved, J.H.S. 131 would continue to admit students to both programs, although the number of students enrolling in the non-zoned program would be reduced.

Soundview Academy offers a limited unscreened program open to all District 8 students with a priority to the 08X174 zone. Limited unscreened schools give admissions priority to students who demonstrate interest in the school by attending an information session, attending an open house event, or visiting the school's exhibit at any one of the Middle School Fairs. If this proposal is approved, Soundview Academy will continue to admit students through a limited unscreened admissions method.

Students zoned to J.H.S. 131 and Soundview Academy may also apply to a range of programs provided on the application, described in more detail below.

Through the middle school application process, students will be offered the opportunity to apply to a range of middle schools within their district, and/or schools with borough-wide or Citywide eligibility. Students may also choose to apply to a number of schools that manage their own admission process. Information about all of these options is printed in each district's Middle School Directory which can be found at <http://schools.nyc.gov/ChoicesEnrollment/Middle/Publications/default.htm>. Please note that this directory is updated yearly. General information about the middle school application process can be found on the DOE's Web site at: <http://schools.nyc.gov/ChoicesEnrollment/Middle/default.htm>.

In District 8, some students do not complete the application and instead are list-noticed to their zoned middle school directly from their elementary school upon graduation.

With the middle school application process, students rank their preferences from among their eligible choices which are pre-populated on each student's customized middle school application. These options include:

- Middle schools or programs with a screened admissions method (admission is based on criteria designated by the school);
- Middle schools or programs with an unscreened or limited unscreened admissions method (limited unscreened schools admit students on the same basis as unscreened schools except that they give preference to students who have attended a school information session);
- Zoned middle schools;
- K-8 schools with a screened, unscreened, or limited unscreened admissions method for the middle school grades that have available seats for middle school students;
- 6-12 schools with an unscreened, limited unscreened or screened admissions method for middle school students.

⁸ The full details of A-101 can be found at <http://schools.nyc.gov/RulesPolicies/ChancellorsRegulations/default.htm>.

- Schools with borough-wide or Citywide eligibility with unscreened, limited unscreened, or screened admissions method.

The Citywide deadline for fifth graders to submit middle school applications for the 2014-2015 school year is in December. Additionally, new middle schools designated to open throughout the City for the 2014-2015 school year will be available for students to consider. After the PEP votes on the proposals to open new schools, eligible students will have the opportunity to submit a “new schools” application. Information about middle school application deadlines will be available at the following link: <http://schools.nyc.gov/ChoicesEnrollment/Middle/Calendar/default.htm>.

Middle school students with IEPs, with the exception of those recommended for placement in a District 75 school,⁹ are admitted to schools in the same manner as general education students. Schools will ensure that students with disabilities continue to receive mandated services in accordance with their IEPs while also ensuring such students have opportunities to learn alongside their non-disabled peers to the greatest extent possible.

In accordance with DOE policy, ELL students are admitted to middle school in the same manner as their peers who are not ELL students. Any students requiring ELL services will continue to receive appropriate services in accordance with DOE policy.

Enrollment Impact for Over-the-Counter (“OTC”) Students

If this proposal is approved, J.H.S. 131 and Soundview Academy will continue to admit students through the OTC admissions process, although J.H.S. 131 may take fewer OTC students as its enrollment is reduced. As described in more detail in Section III.C there is enough middle school capacity to accommodate any reduction in available OTC seats at J.H.S. 131.

OTC placement is a term that refers to the method of enrolling students who need a school assignment because they were not part of any admissions process for entry grades and/or were not enrolled in a NYC school at the time school started. These students fall into one of four categories:

- New to the New York City school system; or
- Left the New York City school system and have returned;¹⁰ or
- Are seeking transfers (based on the guidelines outlined in Chancellor’s Regulation A-101); or
- Did not participate in the middle school admissions process for some other reason.

When a middle school eligible student arrives for OTC placement, his or her school assignment is determined by his or her interest, home address, which schools have available seats, and, where applicable, transfer guidelines. Students are eligible to attend middle school based on the district of elementary school attendance or the district to which the student’s address is zoned for middle school. In un-zoned districts, the student visits a Borough Enrollment Office where he or she meets with a counselor who reviews options that will meet the student’s needs. However, in many districts, students may simply report to their zoned middle school.

⁹ District 75 provides citywide educational, vocational, and behavior support programs for students who are on the autism spectrum, have significant cognitive delays, are severely emotionally challenged, are sensory impaired and/or are multiply disabled. District 75 provides services to students in a variety of settings, including elementary, middle, and high schools, students’ homes, hospitals, and agencies. These programs are located at more than 410 sites in the Bronx, Brooklyn, Manhattan, Queens, Staten Island, and Syosset, New York. Please visit the DOE website for additional information about District 75 programs at <http://schools.nyc.gov/Offices/District75/default.htm>.

¹⁰ Per Chancellor’s Regulation A-101, students have the “right to return” to their prior school following discharge within one calendar year of discharge, subject to available seats. Therefore, it is possible that non-zoned students arriving for an OTC placement may be granted admission to a zoned school.

Impact for Future Elementary School Students in District 8

If this proposal is approved, families in District 8 will have an additional elementary school option. Elementary age students in District 8 will have the opportunity to enter the charter application lottery process, starting in spring 2014, to enroll in SA – New York 2 for the following school year beginning in the 2014-2015 school year. SA – New York 2 provides a lottery preference to: siblings of current or accepted students and applicants who reside within District 8.

Detailed information about charter schools will also be published annually and is available in print and on the DOE Web site here: <http://schools.nyc.gov/community/planning/charters/Directory.htm>.

Impact on Other Organizations in Building X131

Building X131 currently provides space to the Community Based Organization (“CBO”) ASPIRA. ASPIRA is not expected to lose any space or reduce the services offered as a result of this proposal.

B. Schools

If this co-location proposal is approved, X131 has the capacity to accommodate the phase-in and co-location of SA – New York 2, J.H.S. 131 (with its planned enrollment reduction), and Soundview Academy. In 2018-2019, once J.H.S 131 has completed its enrollment reduction and SA – New York 2 has reached full scale, there will be approximately 1,260-1,410 total students served in the building. The projected utilization rate for X131 at that point is approximately 90%-101%.

The estimated enrollments for J.H.S. 131, Soundview Academy, and SA – New York 2 are shown in Section IV below.

As described in detail in the attached BUP that accompanies this EIS, if this proposal is approved, there will be sufficient space to accommodate all schools in the X131 building pursuant to the Citywide Instructional Footprint (the “Footprint”) throughout the period while SA – New York 2 gradually phases in and J.H.S 131 reduces its enrollment. Please visit the DOE’s Web site to access the Footprint, which guides space allocation and use in City Schools: http://schools.nyc.gov/NR/rdonlyres/78D715EA-EC50-4AD1-82D1-1CAC544F5D30/0/DOEFOOTPRINTSConsolidatedVersion2011_FINAL.pdfh.

The Footprint sets forth the baseline number of rooms that should be allocated to a school based on the grade levels served by the school and number of classes per grade. For existing schools, the Footprint is applied to the current number of sections per grade, assuming class size will remain constant. The Borough Director of Space Planning then confirms both the baseline and current space allocation totals during a walk-through of the building, where he/she is accompanied by a school’s representative.

For elementary schools serving grades kindergarten through five (and for all pre-kindergarten programs), the Footprint assumes that classes are self-contained. Therefore, the Footprint allocates one full-size classroom for each general education or ICT section and a full-size or half-size room to accommodate each SC special education section served by the school. In addition to these rooms, schools serving grades kindergarten through five receive an allocation of cluster or specialty classrooms proportionate to the number of students enrolled. These spaces can be used at the principal’s discretion for purposes such as art and/or music instruction, among other things.

For grades six through twelve, the Footprint assumes that students move from class to class and that classrooms should be programmed at maximum efficiency. The Footprint does not require that every teacher have his or her own designated classroom. Principals are asked to program their schools efficiently so that classrooms can be used for multiple purposes throughout the course of the school day.

The Footprint allocates the number of baseline full-size equivalent (“FSE”) classrooms for student support services, resources rooms, and administrative space based on the grades a school serves and its enrollment at scale. Any space remaining beyond the baseline shall be allocated equitably among the co-located schools. In determining an equitable allocation, the DOE may consider factors such as the relative enrollments of the co-located schools, the instructional and programmatic needs of the co-located schools, and the physical location of the excess space within the building.

As described in more detail in the attached BUP that accompanies this EIS, there is sufficient instructional space in X131 for the co-location of SA – New York 2 such that all schools receive at least their baseline allocation of space according to the Footprint throughout the course of the proposal. As in other situations where schools are co-located, the schools will continue to share large common and specialty rooms in the building, namely the cafeteria, the gymnasium, the auditorium, and the library. Specific decisions regarding the allocation of the shared spaces will continue to be made by the Building Council, consisting of principals from all co-located schools, in conjunction with the DOE’s Office of Space Planning. A Shared Space Committee meets a minimum of four times a year and reports back to the Building Council regarding shared space questions. Any unallocated space will continue to be equitably distributed among the schools based on the proportion of the total students in the building enrolled by each school and/or program, the instructional and programmatic needs of the co-located schools, and the physical location of the excess space within the building.

The DOE does not currently have other plans for the use of X131.

C. Community

The DOE supports parent choice and strives to ensure that families have access to high-quality schools that meet the needs of all children. The state Charter Schools Act requires that charter schools demonstrate good faith efforts to attract and retain English Language Learners, students with disabilities, and students eligible for free or reduced lunch at rates comparable to those of the Community School District as determined by the New York State Education Department (“SED”). Thus, the DOE believes that the proposed co-location of SA – New York 2 will increase parent choice by creating access to an additional elementary school option for students in District 8.

SACS operates 18 public charter schools in New York City, including six new public elementary schools serving students for the first time in 2013-2014. The four SACS elementary schools that received a Progress Report for the 2011-2012 school year all received an overall grade of A. Furthermore, on the 2012-2013 New York State exams, SACS demonstrated strong results in English Language Arts (“ELA”), math, and science. Compared to all New York City schools, the seven Success Academy schools with testing grades performed in the top 2% on the state math examination and in the top 7% on the state ELA examination. Additionally, 100% of Success Academy students who took the state science test passed the exam.

While District 8 has an excess of middle school capacity, as described below, additional elementary capacity is needed, particularly in the Soundview area where X131 is located. The DOE believes that siting SA – New York 2 in District 8 will not only provide a new option for District 8 families, but, if approved, it is anticipated that it would help address the need for additional elementary school seats in District 8.

Based on the 2013-2014 Budget Register Projections, J.H.S. 131 is currently serving approximately 250 sixth-grade students. In 2013-2014, there are approximately 2,251 sixth-grade students enrolled in District 8 middle schools and charter middle schools located in District 8. Including the seats currently available at J.H.S. 131, there are approximately 3,078 total sixth-grade seats in District 8 middle schools and charter schools located in District 8, meaning there is an excess of approximately 827 sixth-grade seats in the district.

Excluding the seats currently available at J.H.S. 131 that would no longer be available after the enrollment reduction described in this EIS, there are approximately 3,007 total sixth-grade seats in District 8 middle schools and charter schools located in District 8. Therefore, even after excluding the seats that would have been offered at J.H.S. 131, there are still approximately 756 excess sixth-grade seats in District 8 middle schools.

Additionally, the DOE has proposed to co-locate a new charter middle school, Girls Preparatory Charter School of the Bronx (84X487, “Girls Prep Bronx”), in District 8. The anticipated proposal is projected to add approximately 75 sixth-grade seats in District 8. Thus, if that proposal is approved, there would be a total of approximately 3,082 sixth-grade seats in District 8. Therefore, there will be an even greater excess of approximately 831 sixth-grade seats projected in District 8 middle schools.

Through the middle school choice process, District 8 students may also enroll in several middle schools throughout the district. In addition to existing middle school options, students in District 8 may also apply to attend several charter schools that serve middle school grades and provide a preference to District 8 residents through the charter school lottery application process. Detailed information about charter schools is published annually and will be available in print or on the DOE Web site here:

<http://schools.nyc.gov/community/planning/charters/For+Parents/default.htm>

This proposal is not expected to impact the ability of community members and organizations to obtain school building use permits at X131. This proposal will not affect the accessibility of X131 which is currently not functionally or programmatically accessible.

IV. Enrollment, Admissions and School Performance Information

J.H.S. 131 Albert Einstein

Admissions Data

<p>Current Admissions</p>	<p>Grades 6-8: District 8 Middle school application process</p> <p>Admissions Method: Zoned; Unscreened</p>
<p>Admissions if this Proposal is Approved</p>	<p>Grades 6-8: District 8 Middle school application process</p> <p>Admissions Method: Zoned; Unscreened</p>

Enrollment Data¹¹

	Grade 6	Grade 7	Grade 8	Total Enrollment
2013-2014 (projections)	250	257	259	766
2014-2015 (projections)	175-185	245-255	250-260	670-700
2015-2016 (projections)	175-185	175-185	245-255	595-625
2016-2017 (projections)	175-185	175-185	175-185	525-555
2017-2018 (projections)	175-185	175-185	175-185	525-555
2018-2019 (projections)	175-185	175-185	175-185	525-555

Demographic Data¹²

Percentage of Students Receiving ICT or SC Services	16%
Percentage of Students with IEPs	21%
Percentage of ELL Students	8%
Percentage of Students Eligible for Free or Reduced Lunch	66%

¹¹ All figures are from the 2013-2014 Budget Register Projections.

¹² All figures are as a percentage of total students from the 2012-2013 Audited Register (as of October 26, 2012).

School Performance Data

J.H.S. 131 Albert Einstein	2009-2010	2010-2011	2011-2012
School Performance and Progress			
Overall Progress Report Grade	C	C	C
Quality Review Score ¹³	P	P	N/A ¹⁴
Performance Data			
English Language Arts % Proficient (Levels 3 and 4)	24%	23%	26%
Math % Proficient (Levels 3 and 4)	32%	29%	32%
Other Key Performance Indicators			
Attendance Rate	91%	90%	91%
2012-2013 State Accountability Status	Focus School ¹⁵		

Soundview Academy for Culture and Scholarship (08X448)

Admissions Data

Current Admissions	<p>Grades 6-8: District 8 Middle school application process with priority to students in the 08X174 zone</p> <p>Admissions Method: Limited Unscreened</p>
Admissions if this Proposal is Approved	<p>Grades 6-8: District 8 Middle school application process with priority to students in the 08X174 zone</p> <p>Admissions Method: Limited Unscreened</p>

¹³ For more information about Quality Reviews, please visit the DOE Web site at <http://schools.nyc.gov/Accountability/tools/review/default.htm>.

¹⁴ Schools do not receive Quality Review scores every year.

¹⁵ This status is determined by SED under the New York State waiver for the No Child Left Behind Act. For more information, please visit the SED Web site at: <http://www.p12.nysed.gov/accountability/ESEADesignations.html>.

Enrollment Data¹⁶

	Grade 6	Grade 7	Grade 8	Total Enrollment
2013-2014 (projections)	98	89	93	280
2014-2015 (projections)	95-105	95-105	85-95	275-305
2015-2016 (projections)	95-105	95-105	95-105	285-315
2016-2017 (projections)	95-105	95-105	95-105	285-315
2017-2018 (projections)	95-105	95-105	95-105	285-315
2018-2019 (projections)	95-105	95-105	95-105	285-315

Demographic Data¹⁷

Percentage of Students Receiving ICT or SC Services	21%
Percentage of Students with IEPs	23%
Percentage of ELL Students	13%
Percentage of Students Eligible for Free or Reduced Lunch	68%

School Performance Data

Soundview Academy For Culture And Scholarship	2009-2010	2010-2011	2011-2012
School Performance and Progress			
Overall Progress Report Grade	N/A ¹⁸	D	B
Quality Review Score	N/A	N/A	D
Performance Data			
English Language Arts % Proficient (Levels 3 and 4)	25%	20%	29%
Math % Proficient (Levels 3 and 4)	31%	27%	29%
Other Key Performance Indicators			
Attendance Rate	92%	91%	90%
2012-2013 State Accountability Status	Focus School		

¹⁶ All figures are from the 2013-2014 Budget Register Projections.

¹⁷ All figures are as a percentage of total students from the 2012-2013 Audited Register (as of October 26, 2012).

¹⁸ Soundview Academy opened with sixth grade in 2009-2010; thus it did not receive a progress report grade in that year.

Success Academy Charter School – New York 2

Admissions Data

Current Admissions	N/A
Admissions if this Proposal is Approved	Grades K-5: Charter Lottery Application (students admitted K-3)

Enrollment Data¹⁹

	Grade KG	Grade 1	Grade 2	Grade 3	Grade 4	Grade 5	Total Enrollment
2013-2014 (projections)	-	-	-	-	-	-	-
2014-2015 (projections)	60-90	60-90	-	-	-	-	120-180
2015-2016 (projections)	60-90	60-80	60-80	-	-	-	180-250
2016-2017 (projections)	75-90	75-90	75-90	60-90	-	-	285-360
2017-2018 (projections)	75-90	75-90	75-90	75-90	60-90	-	360-450
2018-2019 (projections)	75-90	75-90	75-90	75-90	75-90	75-90	450-540

Demographic Data

There is no demographic data available for the school because SA – New York 2 has not yet opened.

School Performance Data

There is no school performance data available for the school because SA – New York 2 has not yet opened.

V. Initial Impact on Budget and Cost of Instruction

The proposal to co-locate SA – New York 2 is not expected to impact initial costs or allocations at J.H.S. 131 or Soundview Academy.

¹⁹ Enrollment projections for new charter schools opening in 2014-2015 are based on enrollment in the charter application.

Please refer to the Fair Student Funding Guide²⁰ and FY14 School Allocation Memoranda²¹ for additional information on cost of instruction.

Most funding in schools' budgets is allocated on a per pupil basis, based on current Fair Student Funding ("FSF") per capita allocation levels. Schools receive additional funds for students with disabilities, ELLs, and those with other supplemental academic needs. FSF covers basic instructional expenses and FSF funds may, at the school's discretion, be used to hire staff, purchase supplies and materials, or implement instructional programs.

As a result of the enrollment reduction in J.H.S 131, the total number of students enrolled at that school will decline each year, meaning that the school's budget will decrease each year, and the school will need fewer teachers and fewer supplies to meet the needs of the smaller student population. If for some reason the school's enrollment grows again, the overall budgets will increase accordingly. In any case, funding will be provided in accordance with enrollment levels, allowing the schools to meet the instructional needs of their student population. This is how funding is awarded to all schools throughout the City, with budgets naturally increasing or decreasing as enrollment fluctuates from year to year.

The General Education Charter School per-pupil rate is determined by the SED and is based on a formula used for all traditional public school districts. The formula divides the district's Approved Operating Expenditures by Total Allowable Pupil Units. Special Education funding is an allocation that charter schools may qualify for and receive for serving students that receive special education services for more than 20% of the week as mandated by an IEP.

In accordance with the New York State Charter Schools Act of 1998 (as amended), the Chancellor or his/her designee must first authorize in writing any proposed capital improvement or facility upgrade in excess of five thousand dollars, regardless of the source of funding, made to accommodate the co-location of a charter school within a public school building. For any such improvements or upgrades that have been approved by the Chancellor, capital improvements or facility upgrades shall be made in an amount equal to the expenditure of the charter school for each non-charter school within the public school building. The DOE has been informed by SACS that it may seek permission for certain capital improvements or facilities upgrades. These capital improvements or facilities upgrades would be subject to the New York State Charter School Act of 1998 (as amended May 2010).

VI. Effect on Personnel Needs, Administration, Transportation and Other Support Services

A. Personnel Needs

New administrative staff and non-pedagogical positions may be created at SA – New York 2 as the school phases in. If so, SA – New York 2 may hire additional teachers as the new grades are added.

As student enrollment at J.H.S. 131 declines, the school's staffing needs may be reduced. All excessing would be conducted in accordance with existing labor contracts. For example, the current UFT contract would require excessing to take place in reverse seniority order within each given teaching license area. Barring system-wide layoffs, excessed teachers would be eligible to apply for other City positions, and any teachers who did not find a permanent position would be placed in the Absent Teacher Reserve ("ATR") pool, meaning that they would continue to earn their salary while serving in the capacity of a substitute teacher in other City schools. Should there be a vacancy in the school in a teacher's license area within one

²⁰ The FSF Guide is available at: http://schools.nyc.gov/offices/d_chanc_oper/budget/dbor/allocationmemo/fy12_13/FY13_PDF/FSF_Guide.pdf.

²¹ The FY14 School Allocation Memoranda is available at: http://schools.nyc.gov/offices/d_chanc_oper/budget/dbor/allocationmemo/fy13_14/FY14_PDF/sam21.pdf

year of the teacher being excessed, the teacher would have a right of return to the school, consistent with applicable contractual provisions regarding teachers' seniority.

B. Administration

No change in school supervisory or administrator positions at Soundview Academy is expected as a result of this proposal. Some school supervisor and/or administrator positions at J.H.S. 131 may be excessed as student enrollment declines. Again, all excessing will take place in accordance with existing labor contracts.

SA – New York 2 may hire school supervisors and/or administrator personnel on an as-needed basis if the school phases-in.

C. Transportation

There will be no change to existing transportation practices at J.H.S. 131 or Soundview Academy due to this proposal. If this proposal is approved, transportation will continue to be provided according to Chancellor's Regulation A-801, available at: <http://schools.nyc.gov/NR/rdonlyres/21A1B11A-886B-4F74-9546-E875EE82A14C/40303/A801.pdf>.

D. Other Support Services

The provision of certain support services is described above. Other support services would be provided as consistent with Citywide policy.

VII. Building Information

Building		X131
Type of Building		MIDDLE
Year Built		1966
Overall BCAS rating		2.54
2011-2012 Target Building Utilization		82%
2011-2012 Target Building Capacity		1401
FY 2012 Maintenance Costs	Labor	\$30,581
	Materials	\$14,637
	Maintenance and repair contracts	\$20,969
	Service contracts	\$0
	Custodial operations costs—Materials	\$11,056
	Custodial operations costs— Custodial Allocation	\$301,793
FY 2012 Energy Costs	Electric	\$195,590
	Gas	\$1,774
	Steam	\$0
	Oil	\$148,923
Projects completed during the current or prior school year		Soil Remediation Assoc w/ Flood Elim, Lighting Fixtures, FY Reso A-Library Upgrade, FY13 Reso A Technology
Projects proposed in the capital plan		Safety Systems, Flood Elimination, Exterior Masonry, Roofs
Accessibility of the building		Building is not Functionally Fully Programmatically Accessible
Building attributes		Art Rooms, Auditorium, Cafeteria, Computer Rooms, Gymnasium, Library, Nurse's Office, Science Lab